IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 32820 of 2003(F)

PETITIONERS:

1. RAMAN SOMASEKHARAN,
   RAMAPURAM, THEVARVATTOM MURI, THYCATTUSSERI,
   CHERTHALA.

2. RAMAN ROHITHASWAN,
   OFFICER, EMPLOYED IN CENTRAL BANK OF INDIA,
   ALUVA.

BY ADV. SRI.V.L.SHENOY
SRI.L.YESHWANTH

RESPONDENTS:

1. JOSEPH JOHN OF ANCHUTHARA,
   PANAVALLY MURI, PANAVALLY VILLAGE, CHERTHALA.

2. VARGHESE JACOB,
   KUNTHARA, PANAVALLY MURI, PANAVALLY VILLAGE,
   CHERTHALA.

3. APPU KUNJAN,
   KANNUVELIYIL, VALAMANGALAM MURI,
   THURAVOOR SOUTH VILLAGE, CHERTHALA.

4. RAJENDRAN, S/O. SUKUMARAN,
   RAMAPURAM, THEVARVATTOM MURI, THYCATTUSSERRY,
   CHERTHALA.

5. MADHUSOODHANAN, S/O. SUKUMARAN,
   RAMAPURAM, THEVARVATTOM MURI, THYCATTUSSERY,
   CHERTHALA.

6. GIRISH BABU, S/O. SUKUMARAN,
   RAMAPURAM, THEVARVATTOM MURI, THYCATTUSSERY,
   CHERTHALA.

7. MINI, D/O. SUKUMARAN,
RAMAPURAM, THEVARVATTOM MURI, THYCATTUSSERY,
CHERTHALA.

8. SIBI, S/O.SUKUMARAN, RAMAPURAM,
THEVARVATTOM MURI, THYCATTUSSERY,
CHERTHALA.

9. NALINI, RAMAPURAM, THEVARVATTOM,
MURI, THYCATTUSSERY, CHERTHALA.

BY ADV. SRI.RAM MOHAN.G.
SRI.G.P.SHINOD
SRI.MANU V.
SRI.INNOCENT FRANCIS PAPALI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 32820 OF 2003

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1 : TRUE COPY OF COMMON ORDER DT.30.06.2003 ON IA NO.S924/01, 926/01 AND 927/01 IN AS NO.1/1994 ON THE FILE OF SUB COURT, CHERTHALA.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 32820 OF 2003

Dated this the 27th day of July, 2007

JUDGMENT

The Registry reports that consequent to the impugned order Ext.P1 dismissing the impleadment petition and the petition for setting aside abatement filed by the petitioner, the learned Subordinate Judge dismissed the appeal itself. Now that appeal is dismissed and the impugned orders have merged into the judgment in appeal, it is for the petitioner to impugn the judgment and decree dismissing the appeal and raise in that appeal the grounds raised herein also as grounds. The Writ Petition is disposed of accordingly. The time during which this Writ Petition was pending before this Court and another three weeks from today will be excluded from the reckoning for the purposes of limitation in view of Section 14 of the Limitation Act.

PIUS C. KURIAKOSE, JUDGE

btt